

Pro Se 6 (Rev. 12/16) Complaint for a Civil Case Alleging that the Defendant Owes the Plaintiff a Sum of Money

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT

2020 NOV 6 AM 8:45

for the

Western District of Massachusetts

U.S. DISTRICT COURT
DISTRICT OF MASS.

Springfield Division

Prospect Mountain Campground, Inc. and
Gregory Miles Hayes

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Con Migo LLC,
Stephen Gregory and
Sterling Kevin Yates

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☒ No

**COMPLAINT FOR A CIVIL CASE ALLEGING THAT THE
DEFENDANT OWES PLAINTIFF A SUM OF MONEY**
(28 U.S.C. § 1332; Diversity of Citizenship)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Prospect Mountain Campground, Inc.
Street Address	1349, Main Road (Rt. 57)
City and County	Granville, Hampden
State and Zip Code	MA 01034
Telephone Number	(413) 250-0779
E-mail Address	hhayes.genmarhay@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	Con Migo LLC
Job or Title (<i>if known</i>)	c/o Corporate Creations Network, Inc. (Registered Agents)
Street Address	3411 Silverside Road, Tatnall Bldg, Ste. 104
City and County	Wilmington, New Castle
State and Zip Code	DE, 19810
Telephone Number	(302) 351-3367
E-mail Address (<i>if known</i>)	contactus@corpcreations.com

Defendant No. 2

Name	Stephen Gregory
Job or Title (<i>if known</i>)	Custodial Member - Conmigo LLC
Street Address	3411 Silverside Road, Tatnall Bldg, Ste. 104
City and County	Wilmington, New Castle
State and Zip Code	DE, 19810
Telephone Number	(305) 791 1353
E-mail Address (<i>if known</i>)	sedeveloper2004@gmail.com

Defendant No. 3

Name	Sterling Kevin Yates
Job or Title (<i>if known</i>)	Business Partner of Stephen Gregory
Street Address	1214 Cherry Drive N.
City and County	Surfside Beach, Horry
State and Zip Code	SC, 29575
Telephone Number	(561) 888-3037
E-mail Address (<i>if known</i>)	kevinyates1214@gmail.com

Defendant No. 4

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

A. The Plaintiff(s)

1. If the plaintiff is an individual

The plaintiff, (name) Gregory Miles Hayes, is a citizen of the
State of (name) Massachusetts.

2. If the plaintiff is a corporation

The plaintiff, (name) Prospect Mountain Campground, Inc, is incorporated
under the laws of the State of (name) Massachusetts,
and has its principal place of business in the State of (name)
Massachusetts.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

B. The Defendant(s)

1. If the defendant is an individual

The defendant, (name) Stephen Gregory, is a citizen of
the State of (name) Florida. Or is a citizen of
(foreign nation) _____.

2. If the defendant is a corporation

The defendant, (name) Con Migo LLC, is incorporated under
the laws of the State of (name) Delaware, and has its
principal place of business in the State of (name) Florida.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

C. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

The defendants issued two promissory notes; one each to each plaintiff (see attached), for a total of \$100,000 with the payback of \$200,000 under the terms of the notes.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The defendant, (name) Con Migo LLC, owes the plaintiff (specify the amount) \$ 100,500.00, because (use one or more of the following, as appropriate):

A. On a Promissory Note

On (date) 06/04/2018, the defendant signed and delivered a note promising to pay the plaintiff on (date) 07/04/2018 the sum of (specify the amount) \$ 50,000.00 with interest at the rate of (specify the amount) 100.00 percent. The defendant has not paid the amount due and owes (state the amount of unpaid principal and interest) \$ 100,500.00. A copy of the note is attached as an exhibit or is summarized below. (Attach the note or summarize what the document says.)

Note: The plaintiff for this note is Gregory Miles Hayes. Stephen Gregory is the Custodial Member of Con Migo LLC and included his personal guarantee to cover the loan terms of each Promissory Note (see attached Exhibits). The other plaintiff's claim is detailed in the Attachment.

B. On an Account Between the Parties

The defendant owes the plaintiff (specify the amount) \$ _____. This debt arises from an account between the parties, based on (state the basis, such as an agreement between a credit-card company and a credit-card holder)

The plaintiff sent the defendant a statement of the account listing the transactions over a certain period and showing the bills sent, the payments received or credits approved, and the balance due. The defendant owes (specify the amount) \$ _____. Copies of the bills or account statements are attached as exhibits or summarized below. (Attach the statements or summarize what they say.)

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C. For Goods Sold and Delivered

The defendant owes the plaintiff *(specify the amount)* \$ _____, for goods sold and delivered by the plaintiff to the defendant from *(date)* _____ to *(date)* _____.

D. For Money Loaned

The defendant owes the plaintiff *(specify the amount)* \$ _____, for money the plaintiff loaned the defendant on *(date)* _____.

E. For Money Paid by Mistake

The defendant owes the plaintiff *(specify the amount)* \$ _____ for money paid by mistake to the defendant on *(date)* _____, when the defendant received the payment from *(specify who paid and describe the circumstances of the payment)*

F. For Money Had and Received

The defendant was paid money *(specify the amount)* \$ _____ on *(date)* _____ by *(identify who paid and describe the circumstances of the payment)*

It is unjust for the defendant not to pay the plaintiff the money received because *(explain the reason, such as that the money was intended to be paid to the plaintiff, or was paid by coercion, duress, or fraud, or was an overpayment or a deposit to be returned)*

the short term promissory notes to each of the plaintiffs enabled the defendant to secure an ongoing business and property in Florida and are duly owed to the plaintiffs.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

The two plaintiffs requests the courts to order the payments due on the attached Promissory Notes, together with the stipulated interest noted in the notes as agreed by the defendants, together with all court costs plus interest payments one of the plaintiffs has and is continuing to pay on a line-of-credit used to generate the funds for the promissory note and bank interest the second plaintiff has lost over the period from when the promissory note was due to the conclusion of the court order.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: November 2, 2020

Signature of Plaintiff

Printed Name of Plaintiff

Harry Hayes, President, Prospect Mountain Campground, Inc.

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Attachments to Pro Se 6 – Complaint for a Civil Case Alleging that the Defendant owes the Plaintiff a Sum of Money:

Plaintiffs: Prospect Mountain Campground, Inc (represented by Harry Hayes, President) and Gregory Miles Hayes.

Defendants: Con Migo LLC, Stephen Gregory and Sterling Kevin Yates.

I. A. Plaintiff

Name: Gregory Miles Hayes
Job or Title: Manager, Prospect Mountain Campground, Inc.
Street Address: 1349, Main Road (Rt. 57)
City and County: Granville, Hampden
State and Zip Code: MA, 01034
Telephone: (413) 231-7990
Email: info@prospectmtncampground.com

II. B. 3 Defendant

The defendant is an individual.

The defendant, Sterling Kevin Yates, is a citizen of the state of South Carolina.

III. Statement of claim

The defendant, Con Migo LLC, owes the plaintiff \$100,500, because...

A. On a Promissory Note

On 06/11/2018 the defendant signed and delivered a note promising to pay the plaintiff on 07/15/2018 the sum of \$50,000 with interest at the rate of 100 percent. The defendant has not paid the amount due and owes \$100,500.00. A copy of the note is attached as an Exhibit.

Note: The plaintiff for this note is Prospect Mountain Campground, Inc.. Stephen Gregory is the Custodial Member of Con Migo LLC and included his personal guarantee to cover the loan terms of each Promissory Note (see attached Exhibits). Sterling Kevin Yates is Stephen Gregory's business partner in both of these transactions and was the exclusive agent arranging the logistics for both of the Promissory Notes. All correspondence went through Mr. Yates.

Attachments to Pro Se 6 – Complaint for a Civil Case Alleging that the Defendant owes the Plaintiff a Sum of Money:

Plaintiffs: Prospect Mountain Campground, Inc (represented by Harry Hayes, President) and Gregory Miles Hayes.

Defendants: Con Migo LLC, Stephen Gregory and Sterling Kevin Yates.

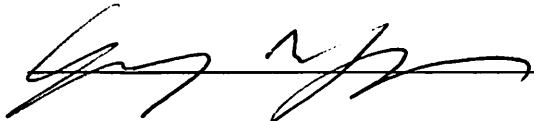
IV. Certification and Closing

A. Parties without an attorney.

I agree to provide the Clerk's Office with changes to my address where case-related paper may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: November 2, 2020

Signature of Plaintiff:

A handwritten signature in black ink, appearing to read 'Gregory Miles Hayes', written over a horizontal line.

Printed name of Plaintiff:

Gregory Miles Hayes